

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.101+202

CRM-M No. 18784 of 2022 (O&M)

Date of Decision : June 13, 2022

Rinki Petitioner

vs.

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE M. S. RAMACHANDRA RAO.

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Present : Mr. Nipun Vashist, Advocate
for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

Mr. Alok Kumar Jain, Advocate
for the complainant.

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M. S. RAMACHANDRA RAO, J. (Oral) :

CRM No.20242 of 2022 :

Allowed as prayed for.

Annexures A-1 to A-5 are taken on record, subject to all just exceptions.

Main Case :

The petitioner is seeking anticipatory bail in FIR No.95 dated 30.03.2022, under Sections 148, 149, 307, 436, 427, 120-B IPC, registered at Police Station Sector-7, IMT Manesar, District Gurugram.

The case of the complainant is that at the instance of the petitioner, who is employed in M/s JNS Instruments Ltd.(hereinafter referred to as 'the Company'), a mob consisting of certain employees, damaged bus No. HR-47-E-1437 and set it on fire on 29.03.2022 at about

06:00 P.M. It is the case of the complainant that the persons, who did this act, said that the petitioner had asked them to set the bus on fire.

The counsel for the petitioner contends that the petitioner was not present at the time of the incident and on the basis of disclosure statement made, the petitioner has been implicated falsely in view of certain labour disputes raised by the petitioner and others against the management of the Company.

Status Report has been filed by the State through the Assistant Commissioner of Police, Manesar, Gurugram, who stated that a pen drive has been submitted by a Senior Executive of the Company containing the video of the persons who damaged the bus. It was further submitted in the Status Report that two accused, after their arrest, made disclosure statements and the petitioner is alleged to be the main conspirator and has not joined investigation. It is also stated that the petitioner is involved in another FIR No.94 dated 29.03.2022.

Counsel for the complainant, who is also counsel for the Company, has strenuously opposed the application. CRM-20242-2022 filed by them indicate that certain disputes exist between the petitioner and the Company which led to the filing of Civil Suit by the Company against the petitioner and others, and there is specific allegation against the petitioner that she was involved in creating blockage to the working of the Company situated at Manesar and that she was continuously instigating the work force by making frivolous complaints. It is also stated that a complaint made by her under the Sexual Harassment of Women at Workplace

investigated and filed by the District Welfare Officer (Women), Faridabad. Reference is also made to FIR No.94 dated 29.03.2022 lodged by the Company against the petitioner.

Having regard to the background of the acrimonious relationship between the petitioner and the Company and having regard to the fact that the petitioner was not present when the bus in question was set on fire by the miscreants, and since the petitioner was sought to be impleaded by the employee of the Contractor of the Company as the prime instigator, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and co-operate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

June 13, 2022

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(M. S. RAMACHANDRA RAO)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.